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OFFICE OF THE DISTRICT ATTORNEY, Bronx County

MEMO ENDORSED

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By Facsimile  
Honorable Frank Maas  
United States Magistrate Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

July 31, 2008  
APPLICATION GRANTED, but there will be  
SO ORDERED no further extensions.  
If Mr. Wong is too busy,  
the matter should be  
reassigned.

  
Frank Maas, USMJ 7/31/08

Re: Calvin Washington v. Dale Artus,  
07 Civ. 7769 (DAB)(FM)

Your Honor:

Our Office represents the respondent in the above-entitled habeas corpus proceeding. Currently, our response to defendant's pro se application is due on August 5, 2008, following your granting of my prior request for additional time. It was originally due on June 6, 2008.

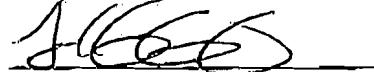
I am writing to make a second request for additional time to file a response. Due to my workload, I respectfully request a sixty-day extension until Monday, October 6, 2008, to file a response.

Currently, I am responsible for filing two state appellate briefs in the Appellate Division, First Department (People v. James Kadarko, Ind. No. 3629/2004; and People v. Maribel Otero, Ind. No. 3515/2001), by August 6, 2008. I recently filed a response to a separate application for a federal writ of habeas corpus in the District Court.

In a related matter, defendant recently filed a NYCPL § 440.10 motion in the Supreme Court, Bronx County, through his appellate counsel, Margaret E. Knight, Esq., of the Office of the Appellate Defender, who represented him on state direct appeal. The motion claims that defendant has found new witnesses who allege that a different individual committed the crime defendant was convicted of. I have been informed by Ms. Knight that defendant will continue to proceed pro se with his federal habeas application.

This request for an extension to October 6, 2008, is made in good faith, based upon my approximation of the time required to prepare an adequate response. Thank you for your time and consideration in this matter.

Respectfully,



T. Charles Won  
Assistant District Attorney

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